

TOWN OF DAVIE

TOWN COUNCIL AGENDA REPORT

TO: Mayor and Councilmembers

FROM/PHONE: Mark Kutney, AICP, Development Services Director/(954) 797-1101

SUBJECT: Resolution
DG 5-4-02 Falcon's Lea Plat, Stirling Road and SW 148 Avenue/
generally located on the south side of Stirling Road, east of I-75.

AFFECTED DISTRICT: District 4

TITLE OF AGENDA ITEM:

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING A WAIVER TO THE REQUIREMENTS OF A DEVELOPMENT PERMIT APPLICATION PROCESSED UNDER THE BROWARD COUNTY LAND DEVELOPMENT CODE FOR THE "FALCON'S LEA" PLAT, AND PROVIDING AN EFFECTIVE DATE.

REPORT IN BRIEF: Petitioner is requesting to release the requirement for a letter of credit required to cover a portion of the cost of a signal at the intersection of Stirling Road and SW 148 Avenue.

When the plat was reviewed in 1987, Stirling Road was designated by the Broward County Trafficways Plan as a 110 foot Trafficway. Stirling Road was deleted from the Trafficways Plan at this location on May 25, 1995. Therefore, a traffic signal is not needed and the letter of credit may be released.

PREVIOUS ACTIONS: None

CONCURRENCES: None

FISCAL IMPACT: None

RECOMMENDATION: Staff finds the subject application complete and suitable for transmittal to Town Council for further consideration.

Attachments: Resolution, Planning Report, Justification letter, Plat, Future land use map, Subject site, zoning and aerial map

RESOLUTION _____

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING A WAIVER TO REQUIREMENTS OF A DEVELOPMENT PERMIT APPLICATION PROCESSED UNDER THE BROWARD COUNTY LAND DEVELOPMENT CODE FOR THE "FALCON'S LEA" PLAT, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the boundary plat known as Falcon's Lea was recorded in the public records of Broward County in Plat Book 128, Page 6; and

WHEREAS, the owners desire to waive requirements of a development permit application associated with said plat processed under the Broward County Land Development Code; and

WHEREAS, Broward County requires the Town of Davie to concur with this waiver prior to a review of the proposed waiver by the Broward County Commission.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA.

SECTION 1. The Town Council of the Town of Davie does hereby approve the proposal to waive specific requirements of the original Falcon's Lea plat staff report, the proposed revision being specifically described on the planning report attached hereto as Exhibit "A".

SECTION 2. This resolution shall take effect immediately upon its passage and adoption.

PASSED AND ADOPTED THIS _____ DAY OF _____, 2002.

MAYOR/COUNCILMEMBER

ATTEST:

TOWN CLERK

APPROVED THIS _____ DAY OF _____, 2002.

Application #: DG 5-4-02/Falcon's Lea
Exhibit "A":

Revisions:
Original Report Date: 7/3/2002

TOWN OF DAVIE
Development Services Department
Planning & Zoning Division Staff
Report and Recommendation

APPLICANT INFORMATION

Owner:

Name: McCain Investment
Properties, LTD
Address: 3225 S. Mac Dill Ave.
Suite 111
City: Tampa, FL 33629
Phone: (305) 374-0501

Agent:

Name: Byrn & Associates
Mark Byrn, Esq.
Address: One Biscayne Tower, #2680
2 S. Biscayne Boulevard
City: Miami, FL 33131
Phone: (305) 374-0501

BACKGROUND INFORMATION

Application History: No deferrals have been requested.

Application Request: To release the requirement for a letter of credit required to cover a portion of the cost of a signal at Stirling Road and SW 148 Avenue.

Address/Location: 14800 Stirling Road/Generally located on the south side of Stirling Road, east of I-75.

Land Use Plan Designation: Residential 5 du/ac

Zoning: PUD-5, Planned Unit Development (County)

Existing Use: Falcon's Lea

Proposed Use: Same

Parcel Size: 142.2535 acres (6,196,564 square feet)

Surrounding Uses:

North: Stirling Road
South: Vacant
East: Town of Southwest Ranches
West: I-75

Designation:

Surrounding Land Use Plan

North: Stirling Road, Transportation
South: Residential 5 DU/AC
East: Town of Southwest Ranches
West: I-75, Transportation

Surrounding Zoning:

North: T, Transportation District
South: PUD-5 (County)
East: Town of Southwest Ranches
West: T, Transportation District

ZONING HISTORY

Related Zoning History: None

Previous Request on same property: Town Council approved the plat request on June 4, 1986, and it was subsequently recorded by Broward County in Plat Book 128, Page 6.

Significant Development Review Agency Comments

Broward County Development Management Division is the County lead agency in assessing the impact of development through the plat and/or delegation request process. Broward County requires that the petitioner request to amend the maximum level of development allowed on the plat and conditions of approval associated with said plat. Such requests must be approved by the local municipality and the County Commission.

Town of Davie Engineering Division had no comment on the proposed delegation request.

Application Codes and Ordinances

The effective code of ordinance governing this project is the Town of Davie Land Development Code.

Comprehensive Plan Considerations

Planning Area: The proposed plat is in Planning Area 1 which constitutes the southwestern most portions of the Town, encompassing all the land north and south of Griffin Road and west of SW 148 Avenue. This planning area is bisected by I-75 which is accessed by Griffin Road and Stirling Road. Over 100 acres at the northwest intersection of I-75 and

Orange Drive is planned for a business park development, known as ICW West.

Flexibility Zone: The plat is in Flexibility Zone 117.

Broward County Land Development Code: The Broward County Land Development Code requires that any changes or waivers to requirements of development permit applications be reviewed and approved or disapproved by the municipality with final approval by Broward County Commission.

Concurrency Considerations: None

Applicable Goals, Objectives & Policies: Several plan policies require consideration of traffic impacts from proposed development, and maintenance of adopted levels of service.

Staff Analysis

The request is to eliminate the requirement for a letter of credit to cover a portion of the cost of a signal at the intersection of Stirling Road and SW 148 Avenue.

When the plat was reviewed in 1987, Stirling Road was designated by the Broward County Trafficways Plan as a 110 foot Trafficway. Stirling Road was deleted from the Trafficways Plan at this location on May 25, 1995. Therefore, a traffic signal is not needed and the letter of credit may be released.

Findings of Fact

The proposed amendment is consistent with the all applicable codes and ordinances. Staff has no objection to the request.

Staff Recommendation

Recommendation: Staff finds the subject application complete and suitable for transmittal to Town Council for further consideration.

Exhibits

1. Justification letter
2. Plat
3. Future Land Use Map
4. Subject Site, Zoning and Aerial Map.

Prepared By: _____

Reviewed By: _____

STATEMENT OF JUSTIFICATION
FALCON'S LEA PLAT
DELEGATION REQUEST

The Falcon's Lea Plat was approved by the Broward County Board of County Commissioners on April 18, 1989, subject to the recommendations contained in the County staff report. One of the conditions contained in the staff report to post a letter of credit, to remain in place up to two years after completion of the development on the property. The purpose of the letter of credit was to cover a portion of the cost of a traffic signal at the intersection of Stirling Road and S.W. 148th Avenue. The letter of credit was required by the County because Stirling Road was, at that time, on the Broward County Trafficways Plan and there was a presumption that an intersection with a Trafficways may need to be signalized. The two year period for the letter of credit to remain in place would have allowed Broward County engineering to determine if there was an actual need for the signal.

Since the time when the plat was approved in 1989, all of Stirling Road west of Flamingo Road has been removed from the Broward County Trafficways Plan. As a result, a traffic signal is no longer warranted at this intersection and, therefore, the letter of credit can be released. To release the requirement for the letter of credit, the applicant must process a delegation request to amend the original staff report to eliminate the requirement. Even though the original letter of credit requirement was a County staff requirement, all delegation requests must be processed through the municipality that has jurisdiction over the platted property.

A RESUBDIVISION OF A PORTION OF SECTION 4, TOWNSHIP 51 SOUTH, RANGE 40 EAST,
CHAMBERS LAND COMPANY SUBDIVISION (P.B. 1-58), TOWN OF DAVIE, BROWARD COUNTY, FLORIDA

INSTRUCTIONS: NOTE

Access Note



DEWAR COUNTY OFFICE OF PLANNING
 DATE: MAY 19, 1994
 BY: [Signature]
 TITLE: PLANNING COMMISSIONER

1. **Abstracts:** The following abstracts are available for \$10.00 per copy, plus \$1.00 per page for each additional page. The abstracts are available in hard copy or on microfiche. The microfiche version is available for \$5.00 per copy, plus \$1.00 per page for each additional page. The microfiche version is available for \$5.00 per copy, plus \$1.00 per page for each additional page.

[illegible]

RECEIVED CITY PLANNING COUNCIL

BOARDING COUNTY FOUNDE AND ADMINISTRATIVE SERVICES
DEPARTMENT - COUNTY RECORDS DIVISION - MINUTES SECTION

**SARAWAK COUNTY FINANCE AND ADMINISTRATIVE SERVICES
DEPARTMENT-COUNTY RECORDS DIVISION-RECORDING SECTION**

ARMANDO COUNTY ENGINEERS' DRAINAGE DISTRICT
LARRY M. HARRIS, DISTRICT ENGINEER
2001 1ST AVENUE AND 10TH STREET
S.W. - TUCSON, ARIZONA 85701
Phone: (520) 796-1111
Fax: (520) 796-1111

FALCON'S LEA

A RESUBDIVISION OF A PORTION OF SECTION 4, TOWNSHIP 51 SOUTH, RANGE 40 EAST,
CHAMBERS LAND COMPANY SUBDIVISION (P.B. 1-58), TOWN OF DANIE, BROWARD COUNTY, FLORIDA

BERRY, CALVIN, BROOME & FARINA - ENGINEERS & SURVEYORS - HOLLYWOOD, FLORIDA

TOWN PLANNING AND ZONING BOARD

THE TOWN PLANNING AND ZONING BOARD OF THE TOWN OF DANIE, BROWARD COUNTY, FLORIDA, HAS REVIEWED AND APPROVED THE PLAT OF THE

CHAMBERS LAND COMPANY
SUBDIVISION

TOWN COUNCIL

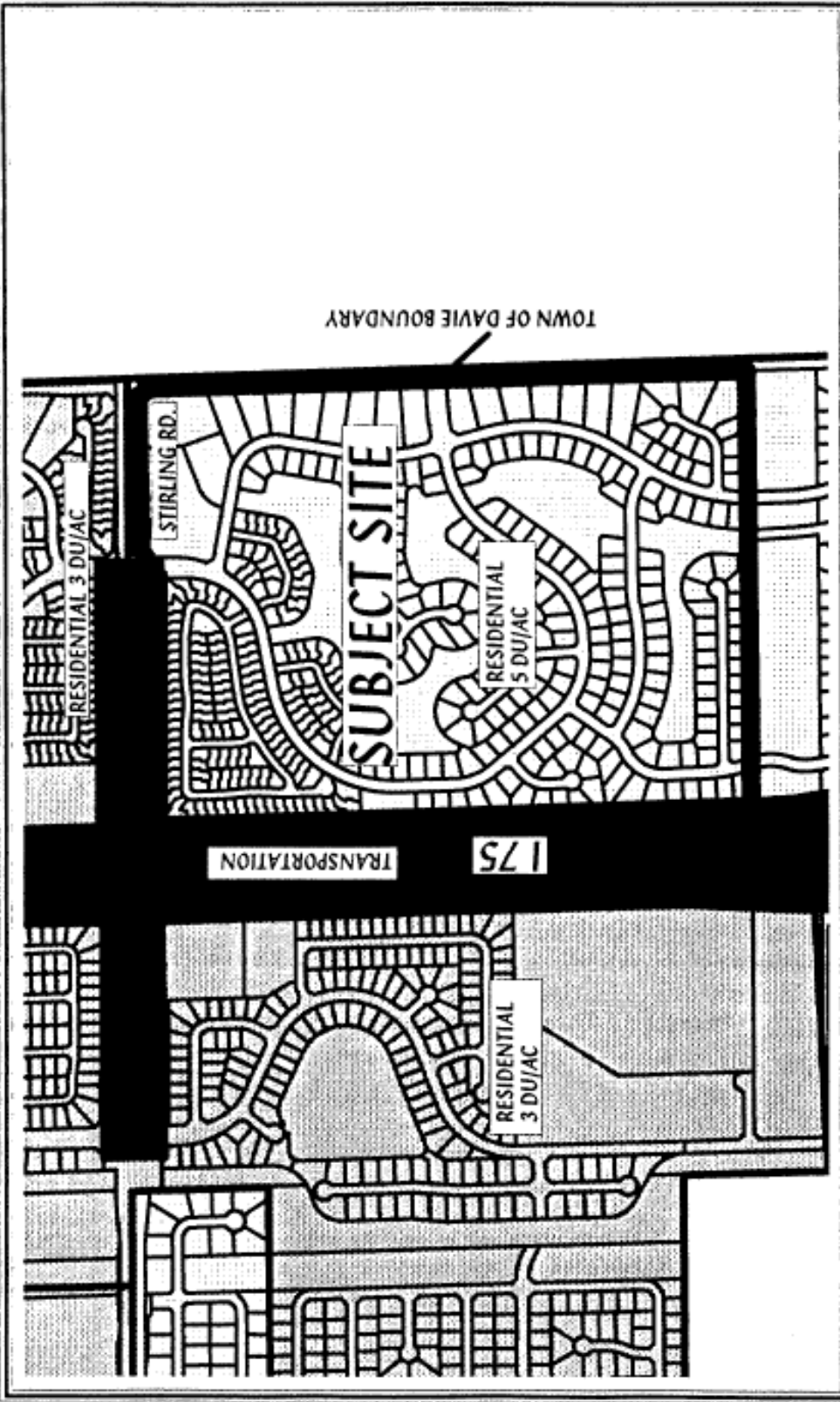
THE TOWN COUNCIL HAS THIS DAY REVIEWED AND APPROVED THE PLAT OF THE TOWN COUNCIL OF THE TOWN OF DANIE, BROWARD COUNTY, FLORIDA, HAS REVIEWED AND APPROVED THE PLAT OF THE

CHAMBERS LAND COMPANY
SUBDIVISION

DEVELOPMENT SERVICES DEPARTMENT

THE TOWN COUNCIL HAS THIS DAY REVIEWED AND APPROVED THE PLAT OF THE TOWN COUNCIL OF THE TOWN OF DANIE, BROWARD COUNTY, FLORIDA, HAS REVIEWED AND APPROVED THE PLAT OF THE

CHAMBERS LAND COMPANY
SUBDIVISION



PETITION NUMBER: DG 5-4-02

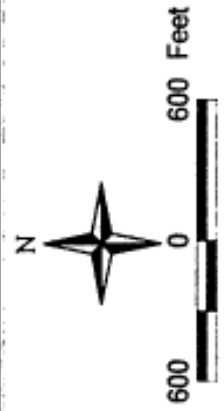
FUTURE LAND USE MAP

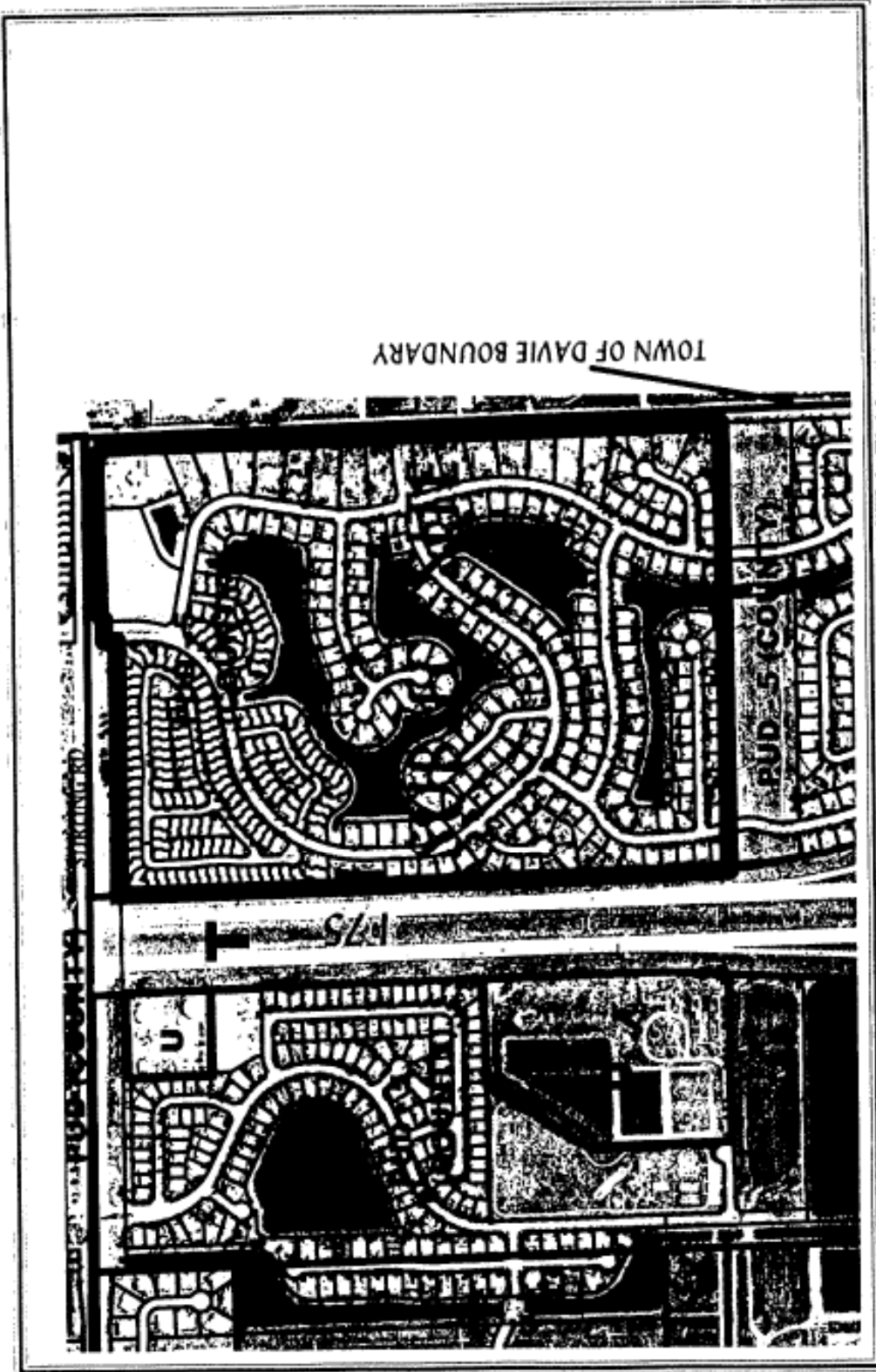
Date: Flown: January, 2001

Scale: 1"= 600'

Planning & Zoning Division - GIS

Prepared 6/19/02





PETITION NUMBER: DG 5-4-02

Zoning and Aerial Map
Date: Flown: January, 2001
Scale: 1"= 600'
Planning & Zoning Division - GIS
Prepared 6/19/02

